

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

IN RE:

JUAN A DAVILA BORGOS
SONIA I RIVERA AYALA

DEBTOR(S)

CASE NUMBER: 08-04936 ESL

CHAPTER 13

**PROPOSE POST CONFIRMATION MODIFICATION
OF THE CHAPTER 13 PLAN**

TO THE HONORABLE COURT:

COME(S) NOW DEBTOR(S), represented by the undersigned counsel and very respectfully **ALLEGE(S)** and **PRAY(S)** as follows:

1. Debtor(s) intend to amend the Chapter 13 Plan for the following reason:

TO INCREASE THE BASE OF THE PLAN.

WHEREFORE, it is respectfully requested of this Honorable Court to approve the above indicated amendment.

IN SAN JUAN, PUERTO RICO, this 16th day of March of 2010.

I HEREBY CERTIFY: that a true and exact copy of the foregoing motion has been filed electronically with the Clerk of the Court using CM/ECF systems which will send notification of such to United State Trustee, Chapter 13 Trustee, and we sent copy of this document through regular mail to Debtor(s) and all non CM/ECF participants interested parties to their address listed on the master address list.

/s/ RODOLFO R. HERNANDEZ RAMOS

Attorney for Debtor

USDC PR 118012

P. O. Box 19-3997

San Juan, Puerto Rico 00919-3991

Tels. 787-764-3646 Fax 787-764-9398

rodolfohernandezesq@yahoo.com

**United States Bankruptcy Court
District of Puerto Rico**

IN RE:

Case No. 08-04936

DAVILA BORGOS, JUAN A & RIVERA AYALA, SONIA I

Debtor(s)

Chapter 13

CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: _____ <input checked="" type="checkbox"/> AMENDED PLAN DATED: <u>3/16/2010</u>	
<input type="checkbox"/> PRE <input type="checkbox"/> POST-CONFIRMATION Filed by: <input checked="" type="checkbox"/> Debtor <input type="checkbox"/> Trustee <input type="checkbox"/> Other	
I. PAYMENT PLAN SCHEDULE \$ <u>1,210.00</u> x <u>12</u> = \$ <u>14,520.00</u> \$ <u>1,530.00</u> x <u>7</u> = \$ <u>10,710.00</u> \$ <u>1,730.00</u> x <u>41</u> = \$ <u>70,930.00</u> \$ _____ x _____ = \$ _____ \$ _____ x _____ = \$ _____ TOTAL: \$ <u>96,160.00</u> Additional Payments: \$ _____ to be paid as a LUMP SUM within _____ with proceeds to come from: <input type="checkbox"/> Sale of Property identified as follows: _____ _____ <input type="checkbox"/> Other: _____ _____ Periodic Payments to be made other than, and in addition to the above: \$ _____ x _____ = \$ _____ PROPOSED BASE: \$ <u>96,160.00</u> III. ATTORNEY'S FEES (Treated as § 507 Priorities) Outstanding balance as per Rule 2016(b) Fee Disclosure Statement: \$ <u>2,600.00</u> Signed: <u>/s/ JUAN A DAVILA BORGOS</u> Debtor <u>/s/ SONIA I RIVERA AYALA</u> Joint Debtor	II. DISBURSEMENT SCHEDULE A. ADEQUATE PROTECTION PAYMENTS OR _____ \$ _____ B. SECURED CLAIMS: <input type="checkbox"/> Debtor represents no secured claims. <input checked="" type="checkbox"/> Creditors having secured claims will retain their liens and shall be paid as follows: 1. <input checked="" type="checkbox"/> Trustee pays secured ARREARS: Cr. SCOTIABANK Cr. CRIM Cr. _____ # <u>7979995000042</u> # <u>24909834854000</u> # _____ \$ <u>9,575.32</u> \$ <u>1,537.85</u> \$ _____ 2. <input checked="" type="checkbox"/> Trustee pays IN FULL Secured Claims: Cr. BANCO BILBAO VIZCAYA Cr. FORD MOTOR CREDIT Cr. MUEBLERIAS BERRIOS # <u>9612941136</u> # <u>35671545</u> # <u>3505189202</u> \$ <u>15,709.79</u> \$ <u>19,275.90</u> \$ <u>4,644.44</u> 3. <input type="checkbox"/> Trustee pays VALUE OF COLLATERAL: Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 4. <input type="checkbox"/> Debtor SURRENDERS COLLATERAL to Lien Holder: _____ 5. <input type="checkbox"/> Other: _____ 6. <input checked="" type="checkbox"/> Debtor otherwise maintains regular payments directly to: <u>SCOTIABANK</u> C. PRIORITIES: The Trustee shall pay priorities in accordance with the law. 11 U.S.C. § 507 and § 1322(a)(2) D. UNSECURED CLAIMS: Plan <input type="checkbox"/> Classifies <input checked="" type="checkbox"/> Does not Classify Claims. 1. (a) Class A: <input type="checkbox"/> Co-debtor Claims / <input type="checkbox"/> Other: _____ <input type="checkbox"/> Paid 100% / <input type="checkbox"/> Other: _____ Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 2. Unsecured Claims otherwise receive PRO-RATA disbursements. OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.) ATTORNEY FEES WILL BE PAID BEFORE TAXES AND CREDITORS. DEBTOR WILL PROVIDE INSURANCE TO BBVA OF \$1064.00 AND TO FMC OF \$988.00 THROUGH TRIPLE SSS PLAN INCREASES WHEN DEBTOR INCOME INCREASE PER ANNUM IF NOT, WITH ADJUSTMENT OF EXPENSES.

Attorney for Debtor Rodolfo R. Hernandez Ramos

Phone: (787) 764-3646